

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF MASSACHUSETTS

KENNETH ADAMSON
Plaintiff

v.

WYETH PHARMACEUTICALS f/n/a
WYETH-AYERST PHARMACEUTICALS)
and ROBERT WINTERS)
Defendants)

Civil Action No.: 04-C V-11623-DPW

STATUS REPORT OF DEFENDANTS
WYETH PHARMACEUTICALS AND ROBERT WINTERS

At the Court's direction, counsel for Defendants Wyeth Pharmaceuticals ("Wyeth" or the "Company") and Robert Winters ("Mr. Winters") (collectively the "Defendants") respectfully submit this Status Report and state as follows:

1. Discovery: Discovery has been undertaken by both Parties with all due diligence. The Plaintiff, Kenneth Adamson ("Plaintiff") notified counsel for Defendants today that it is his position that there are a few remaining discovery issues outstanding, by could not speak to these matters with specificity when contacted by counsel in preparation for filing this report.

Defendants dispute that there are discovery matters outstanding and note that there have been no motions to compel to date. At this time, there are no issues requiring the Court's intervention.

2. Motions: Defendants Wyeth Pharmaceuticals' and Robert Winters' Motion for Summary Judgment is currently pending before the Court. To the best of Defendants knowledge, there are no additional motions contemplated by either party at this time.

3. Settlement Discussions: Plaintiff previously offered to settle all claims against Defendants in exchange for payment in the amount of \$200,000.00. Defendants rejected this proposed settlement figure and there have been no further offers or counter-offers. At this time, there has been no additional progress in settlement discussions and there are no outstanding settlement offers extended by either party.

4. Proposed Trial and Pre-Trial Schedule: Counsel for Defendants attempted without success to confer with counsel for Plaintiff, and therefore, suggest the following schedule guidelines:

<u>Event</u>	<u>Date</u>
Final Pretrial Conference	If necessary, within 30 days following the Court's ruling on Defendants' Summary Judgment motion. Matters to be addressed include firm dates for the remainder of the pre-trial schedule and trial, motions <i>in limine</i> , and all other scheduling issues.
List of proposed witnesses submitted to the Court	One week prior to the start of trial.
Proposed Jury Instructions submitted to the Court	One week prior to the start of trial.
Motions <i>in limine</i> submitted to the Court Trial	Three days prior to the Final Pretrial Conference. At least 45 days following the Court's ruling on Defendants' Summary Judgment motion. Counsel for Defendants' is unavailable June 27 - July 5, 2005 and July 25 - August 5, 2005.

Dated: April 19, 2005

Respectfully submitted,

WYETH PHARMACEUTICALS
and ROBERT WINTERS

By their attorney,

/s/ Donald W. Schroeder

Donald W. Schroeder, BBO #646700

Mintz, Levin, Cohn, Ferris, Glovsky,
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